

REMARKS

Claims 33-61 have been added. Accordingly, claims 1-61 are presented for consideration.

Claims 1-32 were rejected under 35 U.S.C. 103(a) as being unpatentable over O'Leary et al. ("O'Leary") (U.S. Patent 6,609,113) in view of Downing et al. ("Downing") (U.S. Patent 5,963,647) in further view of Tadesco et al. ("Tadesco") (U.S. Patent 6,085,888).

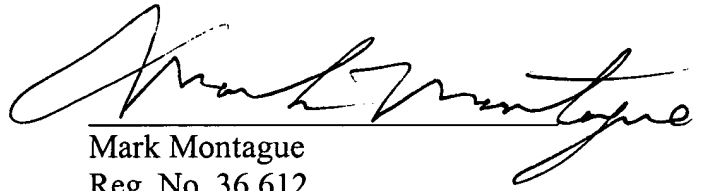
For the following reasons, the O'Leary patent is not valid prior art to the present application. The O'Leary patent issued on August 19, 2003 from an application with an earliest possible priority filing date of May 3, 1999. The present application was filed on August 9, 2000, and claims priority to provisional patent application serial number 60/174,646, which was filed on January 5, 2000. In a previously submitted Declaration under 37 C.F.R. §1.131, dated May 27, 2003 in this application (accompanying the Amendment (mailed May 29, 2003) filed in response to the Office Action dated January 31, 2003), it was established that the applicant invented the claimed subject matter prior to October 26, 1999 (the filing date of the previously cited Stoutenburg patent - U.S. Patent 6,488,203). Now, in light of the Examiner's reliance upon the O'Leary Patent, it is submitted that the claimed subject matter in the present application was fully conceived of prior to the May 3, 1999 priority filing date of the O'Leary Patent and with due diligence was developed at least until the filing on January 5, 2000 of the provisional application, serial number 60/174,646, as evidenced by the attached declaration under 37 C.F.R. § 1.131. Thus,

O'Leary is not prior art under 35 U.S.C. 102(e). Moreover, O'Leary is not prior art under 35 U.S.C. 102(a) or (b) since it issued after the filing date of the present application. Hence, O'Leary is not valid prior art to the present application. It is therefore requested that the rejection of claims 1-32 under 35 U.S.C. 103(a) be withdrawn.

New claims 33-61 are presented. The allowance of claims 33-61 is solicited.

In light of the foregoing, reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,



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